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23 Attorneys for Defendant GATEWAY, INC.

24
 25 UNITED STATES DISTRICT COURT
 26
 27 NORTHERN DISTRICT OF CALIFORNIA
 28
 29 SAN FRANCISCO DIVISION

30 ROYLENE RAY, KELLY CANNON,
 31 KARLA HODGES and LAKETA
 32 COULTER, individually and on behalf of
 33 others similarly situated,

34 Plaintiffs,

35 vs.

36 BLUEHIPPO FUNDING, LLC,
 37 BLUEHIPPO CAPITAL, LLC and
 38 GATEWAY, INC.,

39 Defendants.

40 Case No. C-06-1807 JSW EMC

41 **STIPULATION AND [PROPOSED]
 42 ORDER REGARDING
 43 CONFIDENTIALITY OF SETTLEMENT
 44 DISCUSSIONS IN CONNECTION WITH
 45 CONTEMPLATED NOVEMBER 10, 2008
 46 MEDIATION**

47 Hon. Jeffrey S. White
 48 Courtroom 2, 17th Floor

49 Trial Date: December 14, 2009

50 All parties hereto, through their counsel of record, hereby stipulate and ask the Court to
 51 order as follows:

1. The parties have scheduled a mediation for November 10, 2008 before the Hon. Richard Hodge (Retired) of ADR Services, Inc.

2. In order to prepare for the November 10 mediation, the parties would like the flexibility of having certain settlement discussions among themselves prior to the mediation date without the concern that any such discussions would be excluded from the privileges and confidentiality provisions associated with a mediation, including without limitation, California Evidence Code § 1115 *et seq.*

3. The parties therefore stipulate that any and all discussions, whether orally or in writing, concerning potential settlement of this matter prior to the date of the November 10 mediation shall be deemed to be protected by the same privileges and confidentiality provisions as would apply had those discussions taken place during the course of an actual mediation.

SO STIPULATED.

Dated: October 7, 2008

BRAMSON, PLUTZIK, MAHLER & BIRKHAEUSER, LLP

By: _____ /s/
Robert M. Bramson

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ROYLENE RAY, KELLY CANNON,
KARLA HODGES and LAKETA COULTER

1 Dated: October 7, 2008

2 QUINN EMANUEL URQUHART OLIVER
3 & HEDGES

4 By: _____ /s/
5 Jeffrey D. McFarland

6 Attorneys for Defendant
7 GATEWAY, INC.

8 Dated: October 7, 2008

9 FARELLA BRAUN & MARTEL LLP

10 I represent that concurrence in the filing of this
11 document has been obtained from each of the
12 other signatories which shall serve in lieu of
13 their signatures on this document.

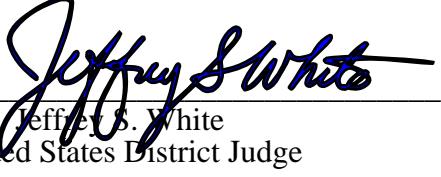
14 By: _____ /s/
15 C. Brandon Wisoff

16 Attorneys for Defendants
17 BLUEHIPPO FUNDING, LLC and
18 BLUEHIPPO CAPITAL, LLC

19 **ORDER**

20 Pursuant to the above-referenced stipulation, and for good cause shown, IT IS SO
21 ORDERED.

22 Dated: October 8, 2008, 2008

23 
24 Hon. Jeffrey S. White
25 United States District Judge